



COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR



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MARK J. SALADINO
TREASURER AND TAX COLLECTOR

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November 4, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RECOMMENDATION TO ADOPT RESOLUTION APPROVING
PUBLIC AUCTION SALE OF "TAX DEFAULTED PROPERTY
SUBJECT TO THE POWER OF SALE (2004A)"
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the resolution approving the public auction sale of "Tax Defaulted Property Subject to the Power of Sale (2004A)."

PURPOSE OF RECOMMENDED ACTION

Attached is a list of Tax Defaulted Properties, which have been tax defaulted for unpaid property taxes five or more years and are "Subject to the Power of Sale." It is recommended that you adopt the proposed Resolution approving such sale by public auction, pursuant to the State Revenue and Taxation Code.

As of this date, approximately 2,121 Tax Defaulted Properties are "Subject to the Power of Sale (2004A)." Assesseees of record were mailed notices of delinquent taxes, and the properties have been publicly noticed regarding the tax status in local newspapers.

In compliance with your Board's previous directive, no attempt will be made to sell identified homeowner occupied property unless the taxpayer has been contacted by the Department of Community and Senior Services or the Department of Consumer Affairs, and offered all available State and County assistance programs.

Pursuant to Section 3698.7 of the Revenue and Taxation Code, the minimum bid price indicated for each property is the total amount necessary to redeem, plus costs.

PURPOSE OF RECOMMENDED ACTION (CONT'D.)

The auction will be held on March 1, 2004 at 9:00 a.m. at the Fairplex Los Angeles County Fairgrounds. It will continue on March 2, 2004 until all properties have been offered. My staff and a professional auctioneer will conduct the public auction.

The attached list of properties to be auctioned will be maintained in the Secured Property Tax Division of this Department. In addition, taxing agencies will receive a copy of this list with information about the purchase of unredeemed properties for the public's use. Those properties not sold when originally offered will be reoffered at the end of the sale with a reduced minimum bid in accordance with applicable law.

A registration deposit of \$1,000 will be required for each registered bidder. This deposit will be applied to the purchase of any tax sale item(s) or if unused, will be returned by mail to the registered bidder within thirty (30) days of the sale. Additionally, a \$10 fee will be imposed for replacing lost bidder numbers.

Implementation of Strategic Plan Goals

Approval of this auction is also in accordance with the Countywide Strategic Plan Goals of Fiscal Responsibility. The public auction sale process is for the purpose of collecting property taxes that have not been paid over five years and returning these tax defaulted properties to a revenue-generating status.

JUSTIFICATION

Pursuant to Section 3691 of the Revenue and Taxation Code, five years or more after the property has become tax defaulted, the Tax Collector shall have the power to sell all or any portion of tax defaulted property that has not been redeemed by 5:00 p.m. on the last business day prior to the first day of auction.

FISCAL IMPACT

The public auction of tax defaulted property allows the Tax Collector to recoup back property taxes, penalties, and costs on delinquent parcels which have become "Subject to Power to Sell" as provided under the Revenue and Taxation Code. In the event a property is not sold when originally offered, it may be reoffered for sale on that same date or at a later time at a reduced minimum bid, in accordance with applicable law.

FINANCING

The Tax Collector has budgeted the necessary funds for the mailing of the Notice of Auction, which is required to be sent by certified mail to all known parties of interest pursuant to Section 3701 of the Revenue and Taxation Code.

FACTS AND PROVISIONAL/LEGAL REQUIREMENTS

A list of parcels, which became "Tax Defaulted Subject to Power to Sell" was published pursuant to Section 3361 of the Revenue and Taxation Code. In order to comply with the statutes governing the publication process, these properties were advertised in the approved adjudicated local paper with the highest circulation in the geographic area in which the property is located.

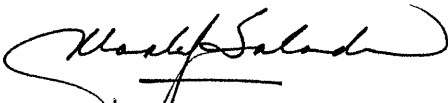
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable

CONCLUSION

It is requested that your Board adopt the attached Resolution as prepared and approved as to form by the County Counsel approving the auction sale of "Tax Defaulted Properties Subject to the Power of Sale (2004A)."

Respectfully submitted,



MARK J. SALADINO
Treasurer and Tax Collector

MJS:DJD:MD

mde2:boardltr2004A

Attachments (1)

c: Assessor
Chief Administrative Officer
County Counsel
Auditor-Controller
Internal Services Department

**RESOLUTION APPROVING SALE OF TAX DEFAULTED PROPERTY
SUBJECT TO THE POWER OF SALE AT PUBLIC AUCTION**

SALE NUMBER 2004A

WHEREAS, pursuant to Revenue and Taxation Code, Section 3698, MARK J. SALADINO, Treasurer and Tax Collector, has transmitted to the Board of Supervisors on November 4, 2003, a notice of his intention to offer for sale and sell "Tax Defaulted Properties Subject to the Power of Sale (2004A)" at public auction; and

WHEREAS, Revenue and Taxation Code, Section 3694 requires the Board of Supervisors to approve or disapprove the proposed sale of "Tax Defaulted Properties Subject to the Power of Sale (2004A)" at public auction; and

WHEREAS, pursuant to Revenue and Taxation Code, Section 3698.5 the minimum bid for each parcel shall be an amount not less than the total amount necessary to redeem plus costs; and

WHEREAS, the notice is on file with the Board of Supervisors;

NOW THEREFORE BE IT RESOLVED: That pursuant to the provisions of Chapter 7, Part 6, Division 1 of the Revenue and Taxation Code of the State of California, the Board of Supervisors does hereby approve the sale of these "Tax Defaulted Properties Subject to the Power of Sale" designated and described on Public Auction List Number 2004A, and the

establishment by the Treasurer and Tax Collector of minimum bids for properties that remain unsold pursuant to the Revenue and Taxation Code Section 3698.5 (c).

The foregoing resolution was on the _____ day of _____ 20 _____,
adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the
governing body of all other special assessment and taxing districts, agencies and authorities
for which said Board so acts.

County of Los Angeles

By _____
Chair, Board of Supervisors

Attest: Violet Varona-Lukens
Executive Officer-Clerk of
the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

LLOYD W. PELLMAN

By *Joe M. Aiello*
Principal Deputy County Counsel